

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - PR &RD Department–Allegation of corruption against Sri Maraboina Bikshapathi S/o Saraiah, Assist Engineer, Panchayat Raj, Kodakandla Mandal of Warangal district Trapped on 19-02-2010 - Sanction of Prosecution –Orders –Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.1) DEPARTMENT

G.O.Ms.No. 248

Date: 10.08.2011

Order:

Where as Sri Maraboina Bikshapathi S/o Saraiah worked as Assistant Engineer , Panchayat Raj , Kodakandla Mandal of Warangal District 29-11-2008 to 19-02-2010 and by virtue of the post held by him he falls under the Category of Public Servant as defined under clause (c) section 2 of the Prevention of Corruption Act, 1988 (Central Act, 49 of 1988) .

2. And whereas , it is alleged that Vutla Narasimha Reddy S/o Bakka Reddy , age : 42 years, Caste: Reddy, Occ: MPTC, Civil Contracts, and agriculture , R/o Koripalli (V) Kodakandla (M) , Warangal District ,visited the office of the Deputy Superintendent of Police , Anti- Corruption Bureau ,Warangal on 18-02-2010 at about 11-00 A.M. and lodged a written complaint in telugu stating that he under takes civil contract works in the name of his wife Smt. Vutla Padma. On 12. 10.2009 the work of laying of CC road from the Panchayat Office of Koripalli (V) to Vutla Sathireddy house was awarded to his wife with an estimated cost of Rs. 86,000/- under BGRF Mandal sector .The MPDO , Kodakandla Mandal had entered in to agreement with his wife on 18.12.2009. After entering in to the agreement, he executed the work with in a week and informed about the completion of the work to Sri. M. Bikshapathi , Assistant Engineer, Panchayat Raj, Kodakandla Mandal , the Assistant Engineer, demanded to pay an illegal gratification 8,000/- for recording the measurements of the work executed by Sri Vutla Narsimha Reddy, in the M- Books and to forwarded the same to the Deputy Executive Engineer, Panchayat Raj, for payment . Sri Vutla Narasimha Reddy went to the office of the Assistant Engineer , Panchayat Raj, Kodakandla on 15.01.2010 and 26.01.2010 and met Sri Bikshapathi , Assistant Engineer, and requested him to record the measurements in the M-Book and to send to the same to the Deputy Executive Engineer, Panchayat Raj. The Assistant Engineer, Panchayat Raj paid a deaf ear to the requests of Sri Vutla Narasimha Reddy informed Sri Vutla Narasimha Reddy that if the bribe amount of Rs. 8,000/- is not paid he would not attend the work of sri Vutla Narsimha Reddy. When Sri Vutla Narasimha Reddy expressed his inability to pay the bribe amount to the Assistant Engineer, Panchayat Raj, did not heed request of Sri Vutla Narasimha Reddy and insistence to pay the demand of bribe amount of Rs. 8000/-. Again on 17-2-2010 Sri Vutla Narasimha Reddy, went to the Office of the Assistant Engineer, Panchayat Raj, Kodakandla and asked him about the recording of the measurements of the work executed by him. The Assistant Engineer, Panchayat Raj, informed Sri Vutla Narsimha Reddy, that if the bribe amount of Rs. 8,000/- is not paid to him he would not attend to the work of Sri Vutla Narsimha Reddy. Having no other alternative Sri Vutla Narasimha Reddy agreed to pay the demanded bribe amount of 8000/- to the Assistant Engineer, Panchayat Raj, Sri M.Bikshapathi with in two days.

3. And whereas as Sri Vutla Narasimha Reddy is not willing to pay the bribe amount to the Assistant Engineer, Panchayat Raj, Kodakandla Mandal , approached the Deputy Superintendent of Police , Anti- Corruption Bureau, Warangal Range, Warangal and lodged a written complaint with a request to take necessary legal action against the said Assistant Engineer Sri. M. Bikshapathi.

::2::

4. And whereas on receipt of the complaint on 18-2-2010 at 11-00 hours, Deputy Superintendent of Police, Anti- Corruption Bureau, Warangal caused enquiries about the genuineness of the complaint and the reputation of both Sri Vutla Narasimha Reddy and Assistant Engineer and found that the complaint is genuine and Assistant Engineer found to be ill – reputed and that Sri Vutla Narasimha Reddy had no ill motive to implicate the Assistant Engineer in this case. After observing all the formalities, the Deputy Superintendent of Police, Anti-Corruption Bureau, Warangal Range, Warangal registered the report as a case in Cr.No. 2/ACB-WRL/2010 U/s 7 of Prevention of Corruption Act, 1988 on 19-2-2010 at 13-00 hours and took up investigation.

5. And whereas, it is further alleged that, during the course of trap on 19-02-2010 Sri Maraboina Bikshapathi, Assistant Engineer, Panchayat Raj, Kodakandla demanded and accepted the tainted amount of 8,000/- (Rupees Eight Thousand) from Sri Vutla Narasimha Reddy as bribe for illegal gratification other than legal remuneration for showing official favour in recording the measurement in M-Book of CC road laid under BRGF Scheme with estimation of Rs. 86,000/- and forwarding the same to the Deputy Executive Engineer, for check measure with estimated amount and to return the same to Mandal Parishad Development Officer Kodakandla for payment, was trapped by the Inspector of Police, Anti –Corruption Bureau, Warangal Range, Warangal in Crime No. 2/ ACB- WRL/2010. The both hand fingers of Sri Maraboina Bikshapathi, Assistant Engineer, Panchayat Raj, Kodakandla, when subjected to sodium carbonate solution test, the solution turned into pink colour and the tainted amount of Rs. 8,000/-was recovered from the possession of Sri Maraboina Bikshapathi, Assistant Engineer, Panchayat Raj, kodakandla at his instance i.e., from his wearing right back side pant pocket in the presence of mediators. The contact portion with the tainted currency notes i.e. inner flap of right back side pant pocket of Sri Bikshapathi, Assistant Engineer, Panchayat Raj, was subjected to sodium carbonate solution test, it also yielded positive result.

6. And whereas, the above said acts of Sri Maraboina Bikshapathi S/o Saraiah, Assistant Engineer, Panchayat Raj, Kodakandla Mandal of Warangal district constitute offences punishable under section 7 and sub –section (2) of section 13 read with clause (d) of Sub section (1) of section 13 of the Prevention of Corruption Act, 1988(Central Act 49 of 1988).

7. And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri Maraboina Bikhapathi, S/o Saraiah Assistnat Engineer, Panchayat Raj, Kodakandla Mandal of Warangal district (now under suspension) from the Government service after fully and carefully examining the material FIR pre and post trap placed before them in respect of the said allegations and having regard to the facts and circumstances of the case, consider that the said Sri . Maraboina Bikshapathi, Assistant Engineer, Panchayat Raj, Kodakandla should be prosecuted in a Court of Law, for the said offences.

8. Now, therefore, in exercise of the powers conferred under clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Maraboina Bikshapathi s/o Saraiah, Assistant Engineer, Panchayat Raj, Kodakandla Mandal of Warangal District for the aforesaid offences punishable under section 7 and sub section (2) of section 13 read with clause (d) of sub –section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central

(Contd...)

::3::

Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the above said acts and for taking cognizance of the said offences by a Court of Competent Jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.RAJIV SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT(PR)

To
The Director General, Anti-Corruption Bureau,
A.P., Hyderabad.
The Secretary to VC, APVC.
(Lr.No.4826/VC.G2/2010)
SF/SC

// FORWARDED::BY::ORDER //

SECTION OFFICER